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March 7, 2022

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk/ Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Valli Finney v. Duke Energy Progress, LLC
Docket Number: 2021-363-E

I am filing this letter on behalf of Duke Energy Progress, LLC (the "Company") to request a Hearing Officer Directive holding the remaining pre-filed testimony deadlines and hearing date in this matter in abeyance. The Company and the Office of Regulatory Staff are required to file direct testimony on or before March 8, 2022; Complainant's rebuttal testimony is due March 15; 2022; and the hearing in this matter is set for March 29, 2022.

On February 3, 2022, at its weekly business meeting, the Commission denied the Company's Motion to Dismiss Ms. Finney's complaints, and a final order memorializing the Commission's decision was issued on March 4, 2022. In its Order, the Commission made the following findings of fact:

1. The Commission finds that the Complainant's account was on the Equal Payment Plan prior to being erroneously removed by DEP.
2. While the Equal Payment Plan has been discontinued, customers still enrolled in the Equal Payment Plan continue to be able to be served on that plan.
3. The issue of whether any benefit or difference has been improperly removed from the Complainant by removing the household account from the Equal Payment Plan is remaining.

The Company believes the basis for the Commission's decision, as outlined above, is incorrect. The Equal Payment Plan was discontinued in its entirety with the implementation of

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Customer Connect, and no customers are currently served by that plan.¹ Accordingly, pursuant to S.C. Code Ann. Regs. 103-854, the Company intends to file a Petition for Reconsideration of Commission Order No. 2022-160 on or before March 14, 2022. For this reason, the Company respectfully requests that the pre-filed testimony deadlines and hearing date for this matter be held in abeyance until such time as the Commission has ruled on the Company's Petition for Reconsideration.

Additionally, the Complainant has failed to file direct testimony in this matter as required by the Prefile Testimony Letter issued by the Clerk's Office in this docket on February 11, 2022, and S.C. Code Ann. Regs. 103-845(C).

For these reasons, the Company respectfully requests that a Hearing Officer Directive be issued holding the pre-filed testimony deadlines and hearing date for this matter in abeyance until such time as the Commission has ruled on the Company's Petition for Reconsideration.

By copy of this letter, we are providing a copy of same to the parties of record.

Sincerely,



Katie M. Brown

cc: Valli Finney (via U.S. Mail and email)
Andrew Bateman, Office of Regulatory Staff (via email)
Carri Grube Lybarker, Department of Consumer Affairs (via email)
Roger P. Hall, Department of Consumer Affairs (via email)
Samuel J. Wellborn, Duke Energy Progress, LLC (via email)
David Stark, Public Service Commission of South Carolina (via email)

¹ The Equal Payment Plan was replaced by the Budget Billing Plan, which is functionally equivalent to the Equal Payment Plan. As explained in the Company's Motion to Dismiss, Ms. Finney is currently enrolled in the Annual Budget Billing Plan.